

VZCZCXRO0737

RR RUEHDBU RUEHLN RUEHPOD RUEHYG
DE RUEHVK #0107/01 3000205

ZNR UUUUU ZZH

R 270205Z OCT 09

FM AMCONSUL VLADIVOSTOK

TO RUEHMO/AMEMBASSY MOSCOW 0513

RUEHC/SECSTATE WASHDC 1223

INFO RUEHXD/MOSCOW POLITICAL COLLECTIVE

RUEHVK/AMCONSUL VLADIVOSTOK 1328

UNCLAS SECTION 01 OF 02 VLADIVOSTOK 000107

SENSITIVE

SIPDIS

E.O. 12958: N/A

TAGS: PHUM PGOV RS

SUBJECT: SENIOR COP LANGUISHES IN JAIL FOR WORK ON US-FUNDED ANTI-CORRUPTION STUDY

REF: A. VLADIVOSTOK 83 B. VLADIVOSTOK 82

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¶1. This is an Action Cable. See para 8.

¶2. Summary. Aleksandr Astafyev, anti-corruption crusading militia colonel and long term U.S. Consulate contact, is still in jail after his arrest last June on trumped up charges. There has been no progress in his case. Now on his second lawyer, neither attorney has been allowed to be in contact with him. We understand that Astafyev recently refused a chance to plead guilty to lesser charges that would have softened his potential six-year sentence. Local newspaper journalists and others interested in the case have been intimidated. A recent Washington Post article apparently resulted in getting him moved from solitary confinement to share a cell with Customs General Ernest Bakshetsyan who is also suffering Astafyev's fate for being too effective an anti-corruption investigator. Astafyev's appeal to President Dmitry Medvedev has received no response.

End Summary

¶3. A knowledgeable consulate contact recently met with us to brief the current situation of Aleksandr Astafyev, militia colonel and long term U.S. Consulate contact, who has been in jail since last June. Astafyev's campaign against organized corruption apparently brought him closer to charging influential criminals and they retaliated by engineering Astafyev's own arrest on trumped up charges. At the time of his arrest, Astafyev was completing a George Mason University-funded study on the criminal take-over of Russian businesses with the collaboration of corrupt officials. Astafyev connects his arrest with his tense relations with Aleksey Sorokin, a reputed organized crime boss, who has both Russian and American citizenship. Although Sorokin is wanted by the Russian Ministry of Interior, he freely circulates in Russia and has friendly relations with local militia officers. During a face-to-face confrontation between Sorokin and Astafyev in a local prosecutor's office, Sorokin's bodyguards threatened Astafyev, promising to kill him. Militiamen witnessed these remarks and ignored them. Despite the fact that Sorokin is wanted by militia, he entered and left the building with no problem. Earlier, Astafyev told conoff that Sorokin was doing business without paying taxes in either Russia or the US.

¶4. Our contact says that the local authorities' original intention was to accuse him of unsanctioned contacts with U.S. representatives, but they lacked evidence. Instead, they recently offered Astafyev a chance to plead guilty of "abuse of power" to soften his punishment. Astafyev decided to ignore the offer because he insists that investigators have nothing against him, and are grasping for a justification for his arrest. Although Astafyev is still accused of fraud, there is no evidence to substantiate the charges, we were told. Our interlocutor speculated about other possible ways they might find to accuse Astafyev, such as for disclosing improper investigative procedures or disclosing methods of militia operations, again, despite a lack of evidence. . Our contact added that Astafyev's problems may also be linked to his knowing

too much about the illegal business activities of high ranking FSB officer Yuri Alyoshin and his partners.

¶5. The detention of Astafyev has been extended twice without consideration of his lawyer's appeals or statements. He has been held with no access to his attorneys. His first lawyer was interrogated in a prosecutor's office regarding his client and his defense. After this interrogation, the lawyer refused to meet conoffs, saying that he was under strict FSB surveillance. It was better not to call him. Several weeks ago Astafyev's family found a new lawyer; however, the new attorney has experienced the same pressure and problems. He has no permission to visit Aleksandr Astafyev in the pre-detention center. The attorney has appealed his right to meet with his client to a local court and has been notified that his claim will be considered in three weeks. Astafyev's September 3 appeal to President Dmitriy Medvedev about his "illegal" arrest and alleged human rights violations has received no response. Our contact confirmed that Astafyev and Customs General Ernest Bakshetsyan were at least for a time sharing the same cell (see septel). Bakshetsyan reportedly has provided strong moral support to Astafyev during these difficult weeks for Astafyev.

¶6. We have been told that local journalists interested in the case have been intimidated. A "Zolotoy Rog" newspaper journalist was questioned by the prosecutor's office after a recent article about Astafyev's arrest. Local independent newspapers such as "Narodnoe Veche", "Novaya Gazeta vo Vladivostoke", and "Arsenyevskie vesti" continue to remind their readers of the fate of Astafyev. Maria Solovyenko, an owner of Narodnoye Veche newspaper and the most active supporter of Astafyev, was reportedly also warned not to provide publicity to the case.

¶7. Our local discussant is convinced that these small circulation newspapers need stronger support from the world media. Astafyev's best hope is international publicity, he claimed. A Washington Post article ("Official's Arrest in Russia Linked to GMU" dated 23 July 2009) discomfited Astafyev's enemies, he pointed out, and as result Astafyev was

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moved to the cell with Bakshetsyan -- a good move because there was concern that occupying a lone cell could be a threatening situation for him. Our discussant requested our assistance in bringing world media attention to the human right cases of Aleksandr Astafyev and Customs General Ernest Bakshetsyan.

¶8. Comment. The Astafyev and Bakshetsyan cases are examples of the photo-negative quality of local law-and-order politics - black becomes white, and white becomes black. The standard they are forced to bear signals to anyone like them, that too vigorous an anti-corruption crusade is likely to send the crusader, rather than the villains to jail. And anyone taking much interest in their cases is also likely to find trouble. This case is also grievous from a USG perspective because Astafyev has worked with US law enforcement officials and was in the Washington recently on a State Department grant. Post would appreciate Department's and Embassy's involvement in further publicizing these cases and raising them with Russian interlocutors in government, the press, and, as appropriate, in public. End comment.

ARMBRUSTER